

## I. Introduction

Claims 1-18 are pending in the application.

Claims 1-18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Curtis et al. U.S. Patent No. 5,896,531 (hereinafter "Curtis").

Claims 1, 8 and 15 have been amended to make clear that the software profiles recited therein include parameters that are indicative of a previous instance of an associated file. Support for this amendment can be found throughout the specification, and drawings, for example, in paragraphs 26, 41 and 42 of the corresponding published application (Application No. U.S. 20010047381 A1, published November 19, 2001).

Reconsideration of this application in light of the amendments above and the following remarks is respectfully requested.

## II. Showing of Good and Sufficient Reasons Under 37 C.F.R. § 116(c)

Applicants respectfully propose amendments to the claims even though a final rejection has issued. Applicants have been striving diligently to obtain allowance of the present claims and believe the proposed minor clarifying amendments place the claims in a better form for consideration. No new issues are raised by the proposed amendments. Accordingly, entry of the proposed amendments is respectfully requested.

## III. Applicants' Reply to the Rejections Under 35 U.S.C. § 103(a)

Claims 1-18 are rejected under 35 U.S.C. § 102(b) as being obvious from Curtis. Applicants respectfully traverse this rejection in view of the amendments to the claims and the following discussion.

One aspect of applicants invention is concerned with the efficient storage and retrieval of software files from a memory or storage media. A feature that facilitates this function is the creation and use of software profiles, which, among other things, include certain parameters associated with a previous instance of a software file. Such software profiles may include parameters that describe or define certain attributes such as settings or user preferences used in a previous instance of that software file. For example, a user may retrieve from memory a Microsoft Word document having certain settings or parameters that were specified the last time that document was edited (i.e., in the

previous instance). Such parameters may include, for example, spell check preferences, zoom settings, toolbar preferences etc. The software profiles of the claimed invention retain these parameters so that when the Word document is subsequently retrieved, the profile is also retrieved and these parameters are automatically loaded prior to or in parallel with the file itself so the user is relieved from the burden of having to recustomizing or reformatting the document. The software profiles of the present invention may be created and used for any type of stored data such as word processor documents, database information, a graphics design program, a web browser, or any other type of stored data file that includes file specific settings or parameters.

Another aspect of the invention relates to the efficient storage and retrieval of the software profiles and associated files. Applicants invention teaches that the software profile and the file itself may be stored in different locations and retrieved concurrently or substantially concurrently (shown in applicants' FIGS. 1 and 2). One benefit of this approach is that it allows the software profile to be retrieved and loaded substantially concurrently with the file, so that the profile may restore the previous user settings and/or customize the application program while the file itself is being loaded in the application. This reduces the overall time required to retrieve and load a file from memory that would normally be associated with the sequential performance of these tasks (and any necessary manual recustomization that may be necessary). Therefore, applicants invention is concerned with file management and employs software profiles to restore previously specified file parameters and reduce access time.

Applicants propose amending independent claims 1, 8, and 15 to specify that the software profiles include parameters that are indicative of a previous instance of an associated file to make clear that the claimed invention is concerned with the restoration of a software file based on previously specified user preferences or settings.

Curtis, on the other hand, does not show or suggest this feature anywhere. Rather, Curtis describes a software management system that monitors the resources used by multiple active software applications to determine whether those resources may be reused to support a new application. The purpose of the system described by Curtis is to prevent the unnecessary duplication of software modules or environments common to different applications. Curtis explains that the benefit of linking to active resources rather

than creating new ones is that it reduces the initialization time associated with launching a new application and thereby improves overall processing efficiency (Curtis, col. 1, lines 10-15 and lines 50-67).

This point is clearly illustrated in FIGS. 4 and 5 of Curtis. As shown in FIG. 4, steps 402 and 404 seek to determine whether a common software module can be reused (in this case, an OME or Object Management Environment). If the OME can be reused (step 406), a link is created connecting the OME to the specific task to be accomplished (steps 408 and 410). This allows the system to skip the step of creating a new OME and thereby reduce initialization time. If the OME cannot be reused, and new one is started at step 420 (also see Curtis column 6, lines 29-42). The flow charts shown in FIGS. 5A and 5B contain similar steps (for FIG. 5A, steps 436-453 and for FIG. 5B, steps 462-476).

Thus, the system of Curtis reduces initialization time by linking to active OME modules instead of reloading additional unneeded OME modules. In contrast, applicants claimed invention creates software profiles that include parameters specific to a previous instance of a software file and load that information substantially concurrently with the retrieval of the software file. This feature is not shown or suggested anywhere in Curtis. Accordingly, applicants respectfully submit that this case, including claims 1-18 are allowable over Curtis.

IV. Conclusion

The foregoing demonstrates that claims 1-18 are allowable. Reconsideration and a favorable action are accordingly respectfully requested.

Respectfully submitted,

Dated: 8/8/05

A handwritten signature in dark ink, appearing to read "Michael Shanahan", written over a horizontal line.

Michael E. Shanahan  
Attorney for Applicants  
Registration Number: 43,914  
BROWN RAYSMAN MILLSTEIN FELDER  
& STEINER LLP  
900 Third Avenue  
New York, New York 10022  
(212) 895-2003